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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 SCOTT KINGSTON,

11 Plaintiff,

12 v.

13 INTERNATIONAL BUSINESS  
14 MACHINES CORPORATION,

15 Defendant.

CASE NO. C19-1488 MJP

MINUTE ORDER

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17 The following minute order is made by the direction of the court, the Honorable Marsha  
18 J. Pechman, United States Senior District Judge:

19 In light of the Ninth Circuit's Memorandum (Dkt. No. 198), the Court invites the Parties  
20 to submit additional briefing on remittitur, though the Parties need not do so. If the Parties wish  
21 to submit additional briefing, then Defendant must file a brief of no more than 8 pages on the  
22 question of remittitur by no later than October 14, 2022, and Plaintiff's response of no more than  
23 8 pages must be filed by October 21, 2022. No replies shall be filed. If the Parties do not wish to  
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1 submit additional briefing, the Court will decide the issue based on the briefing already on the  
2 docket.

3 Additionally, the Court notes that the Ninth Circuit transferred to this Court consideration  
4 of Plaintiff's motion for attorneys' fees on appeal. (Dkt. No. 201.) The Court ORDERS the  
5 Parties to meet and confer and file a joint status report by no later than October 14, 2022  
6 indicating what briefing they propose to file on this issue and any proposed deadlines. The Court  
7 will then set deadlines as needed.

8 The clerk is ordered to provide copies of this order to all counsel.

9 Filed October 3, 2022.

10 Ravi Subramanian

11 Clerk of Court

12 s/Serge Bodarchuk

13 Deputy Clerk  
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